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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

MARK ANTHONY PLAISANCE

CIVIL ACTION NO. 6:13-cv-02365

VERSUS

JUDGE DOHERTY

CAROLYN W. COLVIN,
ACTING COMMISSIONER OF THE
SOCIAL SECURITY ADMINISTRATION

MAGISTRATE JUDGE HANNA

JUDGMENT

This matter was referred to United States Magistrate Judge Patrick J. Hanna for report and recommendation. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own.

Accordingly, **IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that this matter is **REVERSED AND REMANDED** to the Commissioner of Social Security for further administrative action pursuant to the fourth sentence of 42 U.S.C. § 405(g).¹ More particularly, the remand shall include, without limitation, sending the case to the hearing level with instructions to the

¹ A fourth sentence remand constitutes a "final judgment" that triggers the filing period for an EAJA fee application. *Shalala v. Schaeffer*, 509 U.S. 292, 113 S.Ct. 2625, 2631 (1993); *Freeman v. Shalala*, 2 F.3d 552 (5th Cir. 1993).

Administrative Law Judge to (1) obtain updated records from the medical professionals treating the plaintiff's bipolar disorder, (2) order either an updated consultative examination of claimant or an evaluation by claimant's treating physician with regard to the plaintiff's residual functional capacity in light of his mental impairment, (3) determine whether the plaintiff's severe impairments – hypertension and bipolar disorder – meet or medically equal a listing, either singly or in combination, and (4) determine whether the plaintiff retains the residual functional capacity to perform any type of work, as well as the opportunity to submit additional evidence and to testify at a supplemental hearing, consistent with the report and recommendation.

Lafayette, Louisiana, this 3 day of September, 2014.



Rebecca F. Doherty
United States District Judge